UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,080	12/09/2003	Brian J. Cragun	ROC920030193US1	3761

46797 7590 12/21/2006

IBM CORPORATION, INTELLECTUAL PROPERTY LAW
DEPT 917, BLDG. 006-1
3605 HIGHWAY 52 NORTH
ROCHESTER, MN 55901-7829

EXAMINER	
BOTTS, MICHAEL K	
ART UNIT	**PAPER NUMBER**
2176	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/21/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/731,080	CRAGUN ET AL.	
	Examiner	Art Unit	
	Michael K. Botts	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 October 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4 and 6-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4 and 6-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 October 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This is a Final Office Action on the merits. This action is responsive to the following communication: Response to Office Action Date July 17, 2006, which was filed on October 12, 2006.

2. Claims 1-4 and 6-20 are currently pending in the case, with claims 1, 7, 11, and 18 being the independent claims. Claim 5 has been cancelled.

3. Claims 8, 9, 14-16, and 19 were rejected under 35 U.S.C. 112, first paragraph. The Examiner is persuaded by Applicant's arguments in the "Response to Office Action Date July 17, 2006." Accordingly, the rejections are withdrawn.

4. Claims 1-4 and 6-20 are rejected.

The Specification

5. Applicant is reminded of the continuing requirement to update the status (pending, allowed, etc.) of all parent priority applications in the first line of the specification, when appropriate, and the status of all citations of U.S. filed applications in the specification should also be updated, when appropriate.

6. Applicant submitted amendments to the specification. The amendments have been reviewed and determined to be of the nature of grammatical changes and do not introduce new matter. Accordingly, the amendments to the specification filed in the "Response to Office Action Date July 17, 2006" are accepted.

7. Applicant updated the identification of related commonly-owned patents and applications. The Examiner notes that two additional applications appear to be related to the present application, yet are not identified in the specification. The apparently related applications are 10/691,287 and 10/600,382. Applicant is advised to review these patent applications and amend the specification appropriately if necessary.

The Drawings

8. In the "Response to Office Action Date July 17, 2006," Applicants submitted amendments to the drawings. Amended drawings 2, 5A, and 5B are accepted.

Examiner's Positive Statement

Signal-Bearing Media Claims are Statutory

9. The specification states that the invention may be embodied on a "program product for use with a computer system." The specification defines the "programs" as follows: "The program(s) of the program product defines functions of the embodiments (including methods described herein) and can be contained on a variety of signal-bearing media. The specification continues the definition stating: "Illustrative signal-bearing media include . . . (iii) information conveyed to a computer by a communications medium, such as through a computer or telephone network, including wireless communications. The latter embodiment specifically includes information downloaded from the Internet and other networks. Such signal-bearing media, when carrying

computer-readable instructions that direct the functions of the present invention, represent embodiments of the present invention." See, disclosure, paragraph [0029].

Claims 1-4 and 6-20, while drawn to a propagated signal comprising encoded/modulated data, are considered to be a statutory manufacture, and statutory methods for the following reasons:

a) The signal is tangible in that it can be sensed, measured, captured, amplified, etc. (i.e., the signal is real).

b) ". . . a signal claim directed to a practical application of electromagnetic energy is statutory regardless of its transitory nature." MPEP 2106.IV.B.1(c) Natural Phenomena Such as Electricity and Magnetism.

c) The signal is modulated via a carrier wave, or encoded to facilitate its readability by the machine/computer, thus facilitating the functionality of the underlying process.

d) The underlying process recites functional descriptive material.

e) The underlying process is otherwise statutory, reciting a practical application having a "useful, concrete and tangible result." *State Street Bank & Trust Co. v. Signature Financial Group, Inc.*, 149 F3d 1368, 1373, 47 USPQ2d 1596, 1601-02 (Fed. Cir. 1998).

Claims Rejection – 35 U.S.C. 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 1-4 and 6-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta, et al. (U.S. Patent 6,956,593 B1, filed September 15, 1999) [hereinafter "Gupta"].

Regarding **independent claim 1, as amended**, Gupta teaches:

A method for selecting an annotation structure for use in entering annotation data, comprising:

receiving a request from a user to create an annotation for at least one data object identified by a set of identifying parameters; and

retrieving, from a configuration file, information identifying at least one annotation structure associated with the at least one data object based, at least in part, on the set of identifying parameters and a role of the user, the annotation structure defining one or more annotation fields into which annotation data will be entered.

(See, Gupta, figure 5, element 222, and col. 2, lines 18-52, teaching receiving a request from a user to create an annotation. See also, Gupta, col. 9, lines 26-50, teaching identifying an object by identifying parameters. See also, Gupta, col. 13, lines 25-67, teaching retrieving from a configuration file information identifying an annotation structure associated with the data object based on the identifying parameters.

Specifically, the user is able to select, in an embodiment, a segment of a temporal object based on the timeline of the object. See, Gupta, figures 7-26, and col. 13, lines 11-40, teaching the "dialog box," which presents a plurality of annotation fields.

It is noted that the phrase "configuration file" is not found to be specially defined in the specification. As is was known to one of ordinary skill in the art at the time of the invention, a "configuration file" was define as follows: "A file that contains machine-readable operating specifications for a piece of hardware or software or that contains information on another file or on a specific user, such as the user's logon ID." See, "Microsoft Computer Dictionary," fifth edition, Microsoft Press, 2002, definition of "configuration file." See, Gupta, figures 1-3, and col. 7, lines 5-44, teaching that the user is logged into the client at the time an annotation is created, and the user's meta data, control information, is maintained in "annotation meta data store 18." Gupta thereby teaches the "annotation meta data store 18" within the annotation server 10 as the configuration file.

The limitation of "retrieving . . . information, at least in part, on the set of identifying parameters and a role of the user," is taught in Gupta as the available media content such as "comments" or "questions" as identifying parameters, and "instructor," "assistant," or "student" as roles of the users. See, Gupta, col. 9, lines 15-25.

The limitation of "the annotation structure defining one or more annotation fields into which the annotation will be entered" is taught in Gupta as "annotation identifier field 194" which uniquely identifies a related annotations such that annotations may be entered in multiple media content, yet related in sets. See, Gupta, col. 9, lines 1-25.)

Regarding **dependent claim 2**, Gupta teaches:

The method of claim 1, further comprising generating a graphical user interface, based on the at least one annotation structure, for receiving annotation data entered by a user.

(See, Gupta, figures 7-26, and col. 13, lines 41-51, teaching the graphical user interface based on the annotation structure for receiving annotation data entered by a user.)

Regarding **dependent claim 3**, Gupta teaches:

The method of claim 1, wherein the set of identifying parameters comprises at least at least one parameter indicating a data source and at least one parameter indicating an annotatable data object within the data source.

(See, Gupta, figures 7, 11, 12, and 14, and col. 9, line 1 through col. 10, line 6, teaching identifying the data source and an annotatable data object within the data source, as the identification of the file and a time segment object within that file.)

Regarding **dependent claim 4**, Gupta teaches:

The method of claim 1, wherein the set of identifying parameters comprises at least one parameter indicating a data source subtype specifying a particular type of the data source.

(See, Gupta, col. 9, lines 26-50, teaching that multiple different streams of media may be identified and annotated.)

Regarding **dependent claim 6, as amended**, Gupta teaches:

The method of claim 1, wherein retrieving the information identifying the at least one annotation structure comprises searching the configuration file for information identifying one or more annotation structures associated with the set of identified parameters and the role of the user.

(See, Gupta, col. 15, line 66 through col. 16, line 14, teaching limiting access to annotation searches based on user read and write access rights.)

Regarding **independent claim 7, as amended**, Gupta teaches:

A method for annotating a set of disparate data points, comprising:

receiving a request from a user to create an annotation for a specified set of disparate data points from different data sources;

determining if the disparate data points are of the same type;

if so, retrieving, from a configuration file, at least one annotation structure associated with the same type as the data points; and

generating, based on the annotation structure, an interface for entering annotation information to be associated with the specified set of data points.

(See, Gupta, col. 7, line 40 through col. 8, line 19, teaching a variety of data points available to the user to select data for annotation, including, time line beginning and end, and audio and video signal tracking.

Gupta does not expressly teach determining if the data points are of the same type.

It would have been obvious to one or ordinary skill in the art at the time of the invention to check to see if the data points were of the same type, such as both point being time entries, or audio entries, or objects viewable in the display.

The suggestion or motivation for determining that the data points are the same type is for the obvious and beneficial purpose of ensuring that the object selected for annotation is one consistent object.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have specifically determined whether the data points were of the same type, as specified in claim 7.

Regarding **dependent claim 8**, Gupta teaches:

> *The method of claim 7, further comprising, if the data points are of differing types, retrieving, from a configuration file, at least one annotation structure associated with a set of data points of the same differing types.*

(See, Gupta, col. 7, lines 45-58, teaching identification of annotation structures by differing data points of "time range" and "time units.")

Regarding **dependent claim 9**, Gupta teaches:

> *The method of claim 8, wherein retrieving the one or more annotation structures associated with the set of data points of the same differing types, comprises:*
>
> *determining, for each differing type, if a number of data points in the specified set having that type falls within a range specified in the configuration file; and if so, retrieving an identification of one or more annotation structures associated with the set of data points of the same differing types.*

(See, Gupta, col. 7, lines 45-58, teaching identification of annotation structures by differing data points of "time range" and "time units." See also, Gupta, col. 13, lines 52-67, teaching identification of an annotation structure by the time range as defined by the time units from a begin time and an end time, with the time designations being differing types of data points.)

Regarding **dependent claim 10**, Gupta teaches:

> *The method of claim 7, wherein retrieving the one or more annotation structures comprises retrieving only annotation structures associated with a specified role of the user.*

(See, Gupta, Figure 3, element 10 ("annotation server"), and col. 13, lines 1-10, and col. 15, line 66 through col. 16, line 14, teaching that the annotations may be structured according to individual read and write privileges.)

Regarding **independent claim 11, as amended**, Gupta teaches:

A computer-readable medium containing an executable component for selecting an annotation structure for use in generating a form for entering annotation data which, when executed by a processor, performs operations comprising:

receiving a request from a user to create an annotation for at least one data point identified by a set of identifying parameters; and

retrieving, from a configuration file, information identifying at least one annotation structure associated with the at least one data point based, at least in part, on the set of identifying parameters and a role of the user, wherein the annotation structure defines one or more annotation fields into which the annotation will be entered.

(Claim 11 incorporates substantially similar subject matter as claimed in claim 1 and is rejected along the same rationale.)

Regarding **dependent claim 12**, Gupta teaches:

The computer-readable medium of claim 11, wherein retrieving the information identifying at least one annotation structure associated with the at least one data point is based, at least in part, on a credential of the user.

(See, Gupta, Figure 3, element 10 ("annotation server"), and col. 13, lines 1-10, and col. 15, line 66 through col. 16, line 14, teaching that the annotations may be structured according to individual read and write privileges.)

Regarding **dependent claim 13**, Gupta teaches:

The computer-readable medium of claim 12, wherein the credential of the user comprises an identified role of the user.

(It is noted that the credential of the user is defined in the disclosure as "including the user's role, security level, associate user group, or the like. See, disclosure, paragraph [0076].

See, Gupta, Figure 3, element 10 ("annotation server"), and col. 13, lines 1-10, and col. 15, line 66 through col. 16, line 14, teaching that the annotations may be structured according to individual read and write privileges. See also, Gupta, col. 20, lines 13-32, teaching searching annotations by group, such as "student discussion.")

Regarding **dependent claim 14**, Gupta teaches:

The computer-readable medium of claim 11, wherein the at least one data point comprises a plurality of data points.

(See, Gupta, col. 7, line 40 through col. 8, line 19, teaching that an annotation object may be defined by a variety of time segments, for example the object contained between seconds 5 and 6 is also contained between seconds 4 and 7, and likewise between seconds 3 and 8.)

Regarding **dependent claim 15**, Gupta teaches:

The computer-readable medium of claim 14, wherein the plurality of data points comprises data points from different data sources.

(See, Gupta, col. 1, lines 55-61, teaching that the "streaming media" of the invention is comprised of various types of sources such as audio and video.)

Regarding **dependent claim 16**, Gupta teaches:

The computer-readable medium of claim 14, wherein retrieving, from a configuration file, information identifying at least one annotation structure associated with the at least one data object comprises:

determining if the plurality of data points are of differing types; and

if so, retrieving, from a configuration file, one or more annotation structures associated with a set of data points of the same differing types.

(See, Gupta, col. 7, lines 45-58, teaching identification of annotation structures by differing data points of "time range" and "time units." See also, Gupta, col. 13, lines 52-67, teaching identification of an annotation structure by the time range as defined by the time units from a begin time and an end time, with the time designations being differing types of data points.)

Regarding **dependent claim 17**, Gupta teaches:

The computer-readable medium of claim 16, wherein retrieving the one or more annotation structures, comprises:

determining, for each differing type, if a number of data points in the specified set having that type falls within a range specified in the configuration file; and

if so, retrieving an identification of one or more annotation structures associated with the set of data points of the same differing types.

(See, Gupta, col. 7, lines 45-58, teaching identification of annotation structures by differing data points of "time range" and "time units." See also, Gupta, col. 13, lines 52-67, teaching identification of an annotation structure by the time range as defined by the time units from a begin time and an end time, with the time designations being differing types of data points.)

Regarding **independent claim 18, as amended**, Gupta teaches:

A system for creating annotations for data points contained in different type data sources, comprising:

a set of annotation structures, each specifying one or more annotation fields;

at least one configuration file associating annotation structures with sets of disparate annotatable data points contained in different type data sources; and

an annotation server configured to receive a request from a user to create an annotation for at least one data point identified by a set of identifying parameters and retrieve, from the configuration file, information identifying at least one annotation structure associated with the at least one data point based on the set of identifying parameters and a role of the user.

(See also, Gupta, figure 1, element 10 ("annotation server"), and figure 1, elements 17 and 18 storing the annotation structures, and col. 13, line 25 through col. 14, line 65, teaching the "dialog box" connected to the annotation server to create configurations files associating annotation structures with sets of data points.

See also, Gupta, Figure 3, element 10 ("annotation server"), and col. 13, lines 1-10, and col. 15, line 66 through col. 16, line 14, teaching that the annotations may be structured according to individual read and write privileges.)

Regarding **dependent claim 19**, Gupta teaches:

The system of claim 18, wherein the at least one data point comprises a plurality of data points from at least two different data sources.

(See, Gupta, col. 1, lines 55-61, teaching that the "streaming media" of the invention is comprised of various types of sources such as audio and video.)

Regarding **dependent claim 20**, Gupta teaches:

The system of claim 18, wherein the at least one configuration file comprises:

at least one point map associating one or more annotation structures with a data point of a single type; and

at least one disparate point set map associating one or more annotation structures with a set of data points, wherein the set of data points comprises at least two different type data points.

(Claim 20 incorporates substantially similar subject matter as claimed in claim 1 and, in further view of the following is rejected along the same rationale. See, Gupta, col. 7, line 40 through col. 8, line 19, teaching a variety of data points available to the user to select data for annotation, including, time line beginning and end, and audio and video signal tracking.)

11. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Arguments

Applicants' arguments filed October 12, 2006 have been fully considered, but they are not persuasive.

Regarding rejections of independent claims 1, 11, and 18:

Applicants argue that the reference, Gupta, "does not teach, show or suggest retrieving, from a configuration file, information at least one annotation structure associated with the at least one data object based, at least in part, on the set of identifying parameters and a role of the user, the annotation structure defining one or more annotation fields into which the annotation will be entered." See, Response, page 14.

The Examiner disagrees.

It is noted that the phrase "configuration file" is not found to be specially defined in the specification. As is was known to one of ordinary skill in the art at the time of the invention, a "configuration file" was define as follows: "A file that contains machine-readable operating specifications for a piece of hardware or software or that contains information on another file or on a specific user, such as the user's logon ID." See, "Microsoft Computer Dictionary," fifth edition, Microsoft Press, 2002, definition of "configuration file." See, Gupta, figures 1-3, and col. 7, lines 5-44, teaching that the user is logged into the client at the time an annotation is created, and the user's meta data, control information, is maintained in "annotation meta data store 18." Gupta thereby teaches the "annotation meta data store 18" within the annotation server 10 as the configuration file.

The limitation of "retrieving . . . information, at least in part, on the set of identifying parameters and a role of the user," is taught in Gupta as the available media content such as "comments" or "questions" as identifying parameters, and "instructor,"

"assistant," or "student" as roles of the users. See, Gupta, col. 9, lines 15-25.

The limitation of "the annotation structure defining one or more annotation fields into which the annotation will be entered" is taught in Gupta as "annotation identifier field 194" which uniquely identifies a related annotations such that annotations may be entered in multiple media content, yet related in sets. See, Gupta, col. 9, lines 1-25.

Regarding rejections of claim 7:

FIRST: Applicants argue that the reference, Gupta, "does not disclose receiving a request from a user to create an annotation for a specified set of disparate data points from different data sources, determining if the disparate data points are of the same type, if so, retrieving, from a configuration file, at least one annotation structure associated with the same type as the data points; and generating, based on the annotation structure, an interface for entering annotation information to be associated with the specified set of data points." See, Response, page 16.

The Examiner disagrees.

SECOND: Applicants argue that Gupta " does not disclose data points from different sources." See, Response, page 16.

The Examiner disagrees.

It is noted that the phrase "data points" is not found to be defined in the specification. In response to the 35 U.S.C. 112, first paragraph rejection in the Non-Final Office Action, which was filed July 12, 2006, Applicants stated that "data points" were disclosed in the disclosure at paragraph [0052]. It is noted that paragraph [0052]

discusses the term "point" and "annotatable points," but not "data points" specifically. Upon examination of the specification, and the claims, and Applicants' response to the 112, first paragraph, rejection based on the meaning of the phrase "data points," the Examiner concludes that the element described by the phrase "annotatable points" in the specification is the same element as described by the phrase "data points" in the claims.

As defined in the specification, a "data point," being the same as an "annotatable point" is defined as being points capable of being annotated. See, disclosure, paragraph [0052]. Further, "points" that are capable of being annotated are defined as follows: "the term point may generally refer to any identifiable data unit (or group of data units) capable of being annotated." See, disclosure, paragraph [0052].

See, Gupta, col. 9, lines 15-25, teaching that annotations may extend across multiple media thereby teaching that the annotations my be associated with "data points" of different media or multiple data points of a single media.

THIRD: Applicants argue that Gupta does not disclose, "generating, based on the annotation structure, and interface for entering annotation information to be associated with the specified set of data points." See, Response, page 16.

The Examiner disagrees.

See, Gupta, figures 6-26, and col. 11, line 36 through col. 24, line 18, teaching several interfaces for entering annotation information to be associated with a specified set of data points, based on the annotation structure. It is noted that the annotation structure is taught as varying whether the annotation is to the text or is discussion

associated with the text. See, Gupta, figures 6-23. It is further noted that Gupta teaches he multiple data points as a "set" of annotations. See, Gupta, col. 9, lines 15-25, and col. 15, line 64 through col. 16, line 14, teaching the annotation set list.

Additional Prior Art

12. The following prior art is made of record and not relied upon that is considered pertinent to applicants' disclosure:

Bays, et al. (U.S. Patent Application Publication 2003/0018632), teaching annotations.

Vogel (U.S. Patent 6,665,681), teaching annotations.

Sommerer, et al. (U.S. Patent Application Publication 2004/0205514 A1), teaching indexing

Nakamura, et al. (U.S. Patent Application Publication 2003/0074375 A1), teaching mapping functions to an index table.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael K. Botts whose telephone number is 571-272-5533. The examiner can normally be reached on Monday through Friday 8:00-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MKB/mkb

H. Herndon

Heather R. Herndon
Supervisory Patent Examiner
Technology Center 2100